

REMARKS

Following entry of the above amendment, claims 1-19 will be pending. Claim 1 has been amended to recite "a node discovery block." Claims 5, 10 and 12 have been rewritten in independent form, without change in scope, including all the limitations of the base claim and any intervening claims. Claim 9 has been amended to clarify the selection of the default MAC as further discussed below. Additionally, claim 5 and claim 9 have been amended to replace the term "select" with the term "selection" in line 2 and in line 3, respectively, for consistency. As further discussed below, claim 14 has been amended to correct informalities without change in scope.

I. ALLOWABLE SUBJECT MATTER

Applicants acknowledge with appreciation the Examiner's indication that claims 16-19 are allowed. Claim 16 has been amended to correct a typographical error without change in scope, i.e., to replace the term "select" with the term "selection" in line 14 for consistency.

Applicants also note the Examiner's indication that claims 5-8 and 10-14 constitute allowable subject matter, and that claim 9 would be allowable subject to the 35 U.S.C § 112 rejection, discussed below. As mentioned above, allowable claims 5, 10 and 12 have been rewritten in independent form including all the limitations of the base claim and any intervening claims. Claim 9 has been amended to clarify the selection of the default MAC as further discussed below. Therefore, claims 5-14 are believed to be in condition for allowance.

II. DRAWINGS

Formal drawings are submitted herewith with the margins in compliance with 37 CFR 1.84(g) and the lines, numbers and letters uniformly thick and well defined, clean, durable, and black in compliance with 37 CFR 1.84(l). Further, Figure 9 has been amended as discussed above. No new matter has been added. Thus, withdrawal of the objections is respectfully requested.

III. AMENDMENTS TO THE SPECIFICATION

The Applicants have amended the disclosure to correct informalities. For example, typographical errors have been corrected including the five typographical errors identified by the Examiner. Further, amendments have been made to consistently identify the network medium, the network medium interface device 10, the MII 12, the network node 50, the operating system or application software 56, the system MAC 64 and to consistently use the term "MAC selection information." No new matter has been added.

IV. CLAIM OBJECTIONS

Claim 14 stands objected to because of informalities. Claim 14 has been amended without change in scope in accordance with the Examiner's request, i.e., in lines 1-2 the phrase "the frame through the intervening device" has been deleted for clarity. Thus, withdrawal of the objection is respectfully requested.

V. REJECTION OF CLAIMS UNDER 35 U.S.C. § 112

Claim 9 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claim 9 has been amended to more clearly recite that which the Applicant's regard as their invention. Specifically, claim 9 has been amended to recite "selecting a default MAC from between the MACs if the frame does not contain the embedded MAC selection information and if the node discovery block does not contain node capability information regarding the destination node of the frame. This amended passage is clearly supported by and enabled by the specification as filed, which states "a default MAC may be selected for transmitting the frame." See, for example, page 20, lines 11-12. Therefore, withdrawal of this rejection is respectfully requested.

VI. REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

Claims 1-4 and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Liu et al., U.S. Patent No. 5,754,540 ("Liu"). Withdrawal of the rejection is respectfully requested for at least the following reasons.

Liu discloses a multiport repeater 10 coupled to two network intermediate systems (MACs), bridge 30 and bridge 31. The bridges 30 and 31 can couple the multiport repeater 10 to other types of network physical devices, as indicated by the block 32 and 34, respectively. Additionally, Lui discloses a management processor 33 that includes its own media access control functions as illustrated in the figure 1. See, for example, Fig. 1, Col. 6, lines 21-37. Further, Lui discloses the multiport repeater 10 uses the value of each bit of a media type register to determine whether a scrambler/descrambler function is bypassed or not for a port. If they are bypassed, then the port connects to an FX transceiver. If not, it is used for a TX transceiver. Thus, by writing to the media type register through the management interface 33, the user of the repeater 10 can determine on a port by port basis the type of media for which it is adapted. See, for example, Col. 4, lines 16-28.

Claim 1 as amended includes, *inter alia*, the feature "a network medium interface device which has a node discovery block." The node discovery block gathers and maintains network topology and node capability information used to select a MAC. Liu does not disclose a network medium interface that includes a node discovery block. The node discovery block configured to gather and maintain network topology and node capability information. Liu discloses the management processor 33 can be utilized for network management functions, such as monitoring network performance, gathering statistics, and configuring devices in the network. See, for example, Fig. 1, Col. 6, lines 21-37. Further, the Examiner in the Action on page 5, item 15, admits Liu and the other prior art of record fails to teach "a node discovery block" that gathers and maintains network topology and node capability information.

Therefore, since Liu does not teach or suggest one or more of the features as recited in amended claim 1, amended claim 1 and the claims that depend therefrom are patentable over Liu for at least the reasons stated above.

Serial No. 09/716,854
Attorney Docket No. E0886
Firm Reference No. AMDSP0374US

Reply to Office Action Dated February 12, 2004
Reply Dated March 3, 2004

VII. CONCLUSION

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present invention.

A check for \$172.00 accompanies this Reply to cover the fee for additional independent claims identified on the attached Fee for Additional Claims Transmittal. Any additional fee(s) resulting from this communication is hereby authorized to be charged to our Deposit Account No. 18-0988; Our Order No. E0886 (AMDSP0374US).

Respectfully submitted,
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